

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No: 000027777

Confirmation No. 1898

In re application of: Shahrestani et al. **Atty Dkt. Ref.:** END5034USNP

Serial No.: 10/674,244

Group Art Unit: 3736

Filed: September 29, 2003

Examiner: Anuradha Roy

Title: **AUTOMATED AUDIO CALIBRATION FOR CONSCIOUS SEDATION**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR §1.137(b)**

Dear Sir:

Applicants respectfully submit that the entire delay in filing the required reply until the filing of a petition pursuant to 37 CFR §1.137(b) was unintentional and hereby petition for the revival of the above-identified application.

A Response to a Final Office Action mailed on July 7, 2006 in this case was filed on January 2, 2007. An Advisory Action mailed on February 28, 2007 indicated that the Response raised new issues and would not be entered. The time period to respond had already expired (six months from the mailing date of the final rejection). A Notice of Abandonment was mailed on April 23, 2007. This petition to revive is being timely filed as a result of such notification. An Request for Continuing Examination is enclosed with this Petition.

A terminal disclaimer is not required since the application was filed after June 8, 1995.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

The Commissioner is hereby authorized to charge the petition fee of \$ 1,500.00 (1.17m), and any additional fees, which may be required, to Account No. 10-0750/END-5034/VEK.

Respectfully submitted,

/Verne E. Kreger, Jr., Reg. #35231/
Verne E. Kreger, Jr.

Verne E. Kreger, Jr.
Attorney for the Applicant
Reg. No. 35,231

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(513) 337-3295
DATED: May 8, 2007